

fire department exists, or the chairman of the board of supervisors, in case such building is not within the corporate limits of any city or town, to adopt uniform specifications for fire escapes hereinbefore provided, and keep such specifications on file in their respective offices, and to serve or cause to be served a written notice in behalf of the state of Iowa upon the owner or owners, or their agents or lessees, of buildings within this state not provided with fire escapes in accordance with the provisions of this act, commanding such owner, owners, or agents or either of them, to place or cause to be placed upon said buildings, such fire escape or fire escapes as are provided in this act within sixty days after service of such notice, pursuant to the specifications established. Any such owner, owners or agents, trustees or either of them so served with notice as aforesaid, who shall not within sixty days after the service of said notice upon him or them, place or cause to be placed such fire escape or fire escapes upon such buildings as required by this act and the terms of said notice, shall be subject to a fine not less than fifty (\$50) dollars, and not more than one hundred (\$100) dollars, and shall be subject to a further fine of twenty-five (\$25) dollars for each additional week of neglect to comply with such notice.

SEC. 5. Inspection. All fire escapes erected under the provisions of this act shall be subject to inspection and approval or rejection in writing, by the person named in section 4 of this act who has caused such written notice to be served.

SEC. 6. In effect—acts in conflict. This act shall take effect and be in force from and after the fourth day of July A. D. 1902. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved April 8, 1902.

CHAPTER 151.

USE OR SALE OF BOTTLES, BOXES, CASKS, KEGS AND BARRELS OF ANOTHER.

S. F. 12.

AN ACT amending section five thousand and fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Penalty. That section five thousand and fifty-two (5052) of the code be, and the same is hereby amended, by inserting after the word "misdemeanor" in the thirteenth line of said section, the following:

"And any person convicted thereof shall be fined not exceeding one hundred dollars, or imprisoned in the county jail not exceeding thirty days."

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 22, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 152.

HABITUAL CRIMINALS.

H. F. 92.

AN ACT relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof. [Amendatory of title twenty-four (XXIV) of the code, relating to crimes and punishments.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Habitual criminal—punishment. Whoever has been twice convicted of crime, sentenced and committed to prison, in this or any other state, or by the United States, or once in this state and once at least in any other state, or by the United States, for terms of not less than three years each, shall, upon conviction of a felony committed in this state after the taking effect of this act, be deemed to be an habitual criminal, and shall be punished by imprisonment in the penitentiary for a term of not less than twenty-five years, provided that no greater punishment is otherwise provided by statute, in which case the law creating the greater punishment shall govern, and further provided, that if the person so convicted shall show, to the satisfaction of the court before whom such conviction was had, that he was released from imprisonment, upon either of said sentences, upon a pardon granted for the reason that he was innocent, such conviction and sentence shall not be considered as such under this act.

SEC. 2. Competent and prima facie evidence. On the trial of any cause, under the provisions of this act, a duly authenticated copy of the former judgment and commitment, from any court in which such judgment and commitment was had, for either of the said crimes formerly committed by the party indicted under this act, shall be competent and prima facie evidence of such former judgment and commitment, and may be used in evidence upon the trial of said cause.

Approved April 9, 1902.

CHAPTER 153.

BAIL AFTER CONVICTION OF CERTAIN CRIMES.

H. F. 401.

AN ACT to amend section five thousand and ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

Be it enacted by the General Assembly of the State of Iowa:

[SECTION 1.] **Murder in the first degree or treason.** That section five thousand and ninety-six (5096) of the code be, and the same is hereby amended, by striking out of the fourth and fifth lines thereof, the words "No defendant convicted of murder, or charged with treason shall be admitted to bail.", and by inserting in lieu thereof the following: "No defendant convicted of murder in the first degree, or of the crime of treason shall be admitted to bail."

Approved April 11, 1902.

CHAPTER 154.

THE PROCURING OF EVIDENCE FOR THE IDENTIFICATION OF CRIMINALS.

H. F. 276.

AN ACT to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime. [Additional to chapter thirty-four (34), of title twenty-five (XXV) of the code, relating to evidence and witnesses.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Photograph—measurements. It shall be lawful for the sheriff of any county or the chief of police in any city in this state, to take or procure the taking of the photograph of any person held to answer on a charge of any felony, such person being in the custody of such officer, or to make and record any measurements of such prisoner, by the Bertillion or other system, and to exchange such photographs, or measurements, or copies of the same,